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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDGAR ENRIQUE GARCIA LOPEZ,

Defendant.

CASE NO. 2:23-CR-00228-DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: November 16, 2023

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on November 16, 2023.
2. By this stipulation, defendant now moves to continue the status conference until January 25, 2024, at 9:00 a.m., and to exclude time between November 16, 2023, and January 25, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports and related documents in electronic form including approximately 600 documents as well as photographs, audio, and video files, totaling approximately 10.7 gigabytes. All of this discovery has been either produced directly to counsel and/or made

1 available for inspection and copying.

2 b) Counsel for defendant desires additional time to review the current charges, to
3 conduct investigation and research related to the charges, to review discovery for this matter, and
4 to otherwise prepare for trial.

5 c) Counsel for defendant believes that failure to grant the above-requested
6 continuance would deny him the reasonable time necessary for effective preparation, taking into
7 account the exercise of due diligence.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of November 16, 2023 to January 25,
14 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
15 T4] because it results from a continuance granted by the Court at defendant's request on the basis
16 of the Court's finding that the ends of justice served by taking such action outweigh the best
17 interest of the public and the defendant in a speedy trial.

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2 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
3 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
4 must commence.

5 IT IS SO STIPULATED.

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8 Dated: November 13, 2023

PHILLIP A. TALBERT
United States Attorney

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10 /s/ ALSTYN BENNETT
ALSTYN BENNETT
Assistant United States Attorney

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12 Dated: November 13, 2023

13 /s/ HOOTAN BAIGMOHAMMADI
HOOTAN BAIGMOHAMMADI
Counsel for Defendant
EDGAR ENRIQUE GARCIA LOPEZ

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18 **ORDER**

19 IT IS SO FOUND AND ORDERED this 14th day of November, 2023.

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21 /s/ Daniel J. Calabretta
THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE
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